

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

Southern District of Florida
Fort Lauderdale
Division

Bryony St. Clair

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

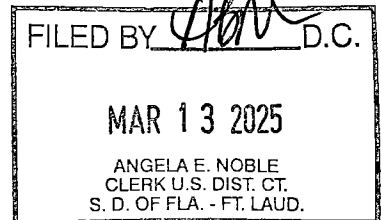
BM Financial

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Bryony St. Clair

1728 Miami Borders Dr #1107

Miami, FL 33179

7

754-292-7041

bryonystc@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name

GM Financial

Job or Title (if known)

Street Address

801 Cherry St. Suite 3500

City and County

Fort Worth

State and Zip Code

TX 76102

Telephone Number

N/A

E-mail Address (if known)

N/A

Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

12 USC 503 OCC 9-215
12 USC 1847
18 USC 1005

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the
State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

SEE ATTACHED PAPERWORK

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

TO VOID THE CONTRACT AND MAKE IT NULL AND VOID
GIVE ME MY TITLE
\$125,000 IN DAMAGES

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

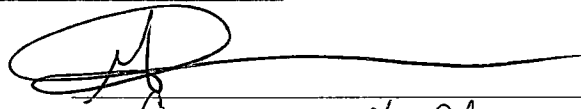
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03-12-2025

Signature of Plaintiff

Printed Name of Plaintiff


Bryony St. Clair

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

**IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

Gregory St Clair, Su Juris, Pro Per,
Plaintiff,

v.

GENERAL MOTORS FINANCIAL COMPANY, INC.,
Defendant.

COMPLAINT FOR FRAUD, UNJUST ENRICHMENT, AND VIOLATION OF BANKING LAWS

INTRODUCTION

1. This case is about **GM Financial deceiving me** into believing I was getting a loan when, in reality, they used my promissory note to create money for themselves without telling me. They then **collected payments on a debt they had already been paid for**, violating banking laws.
2. GM Financial **hid important financial transactions**, including turning my promissory note into their own asset and failing to credit my account properly.
3. Even though they got paid **through investors, insurance, or government-backed securities**, GM Financial still demanded payments from me, **even though the debt was already settled**. This violates **12 U.S.C. § 503, 12 U.S.C. § 1847, and 18 U.S.C. § 1005**.
4. As the **originator of the loan**, I have **enforceable rights** to any funds generated by its use or sale under **UCC § 9-315 and A.R.S. § 47-9315**. GM Financial unlawfully profited from my asset without my consent and failed to compensate me for its monetization.
5. I am asking this Court to order a **full financial audit**, return any money they took unlawfully, and stop them from trying to collect on a debt that no longer exists.

JURISDICTION AND VENUE

6. This Court has jurisdiction under **28 U.S.C. § 1331** because the case involves federal banking laws, including **12 U.S.C. § 503, 12 U.S.C. § 1847, and 18 U.S.C. § 1005**.

7. Venue is proper under **28 U.S.C. § 1391(b)** because GM Financial does business in this district and committed acts of fraud here.
-

PARTIES

8. I, **Gregory St Clair**, am a resident of **Florida**, and I entered into a financial transaction with GM Financial.
9. **GM Financial** is a financial institution that operates as a foreign financial entity under **12 U.S.C. § 632** and is restricted from certain transactions with U.S. citizens.
10. **Daniel E Berce** the CEO of GM Financial, is responsible for overseeing fraudulent financial practices.
-

FACTUAL ALLEGATIONS

A. How GM Financial Misled Me

11. On **12-06-2024**, I signed a promissory note under the impression that GM Financial was **lending me money**.
12. Instead of actually providing a loan from their own funds, they **used my promissory note to create money for themselves** and recorded it as an asset on their balance sheet.
13. Under **12 U.S.C. § 1847**, GM Financial was required to **disclose this transaction** to me and **credit my account for the same amount**, but they didn't.

B. How GM Financial Got Paid Twice

14. GM Financial moved my so-called loan **off their books through securitization**, meaning they sold my obligation to investors and were **already paid in full**.
15. The proof of this is in their **Federal Reserve filings**, including:
- **Form 2046 (Cash Collateral Account)**
 - **Form 2049 (Off-Balance Sheet Liabilities)**
 - **Form 2099 (Debt Acquisition Disclosures)**
16. Even though they had already **gotten paid**, they **continued to demand payments from me**, violating **12 U.S.C. § 503** and **18 U.S.C. § 1005**.

17. As the originator of the promissory note, I have a **secured interest** in any funds derived from its use, transfer, or sale under **UCC § 9-315** and **A.R.S. § 47-9315**. GM Financial failed to compensate me for these proceeds while falsely representing the debt as unpaid.

C. Their Unfair Collection Practices

18. Despite knowing the debt was already paid, GM Financial:

- **Falsely reported to credit agencies** that I still owed money.
- **Kept demanding payments** on a settled debt.

19. These actions amount to **mail fraud, wire fraud, and extortion**, violating **18 U.S.C. § 1951**.

CLAIMS FOR RELIEF

Count 1: GM Financial's Executives Are Personally Responsible (12 U.S.C. § 503)

20. GM Financial knowingly engaged in illegal financial transactions, making their executives personally liable under **12 U.S.C. § 503**.

21. They **failed to credit my account** as required by banking regulations, proving fraudulent intent.

22. I am asking the Court to hold **GM Financial's leadership accountable** and award damages for their unjust enrichment.

Count 2: GM Financial Falsified Banking Records (18 U.S.C. § 1005)

23. GM Financial **knowingly falsified financial records**, hiding the fact that my debt was settled.

24. Each false entry they made is a **separate violation**, and the law states that they could face penalties of **up to \$1 million per offense**.

25. I request **an immediate audit, cancellation of the unlawful debt**, and that this case be referred to regulators for further action.

Count 3: Unjust Enrichment & Fraudulent Conversion

26. GM Financial **used my promissory note as an investment** without telling me and continued to collect money they weren't entitled to.

27. Under **UCC § 9-315 and A.R.S. § 47-9315**, I have a legal right to claim any funds GM Financial made from my promissory note, which they have unlawfully withheld.

28. I demand that they **return all profits** gained through this fraudulent practice.

RELIEF REQUESTED

I am asking the Court to order GM Financial to:

1. **Provide a full forensic accounting** of all transactions related to my loan.
2. **Erase any fraudulent debt claims** from their records.
3. **Return any money they took from me unlawfully.**
4. **Pay three times the amount** they wrongfully collected as damages.
5. **Face punitive damages** for their misconduct.
6. **Be referred to financial regulators** for further investigation.

JURY DEMAND

I request a jury trial for all claims eligible for trial by jury.

Dated: March 11, 2025

Respectfully submitted,

Gregory St Clair

1728 NE Miami Gardens Dr #1107, Miami, FL 33179

754-292-7041

houseofstc@gmail.com

EXHIBITS

Exhibit A: Request for Settlement and Clarification of Account

Exhibit B: Final Opportunity to Cure

Exhibit C: Notice of Breach of Contract, Fraud, Violation of Federal Banking Laws

Exhibit D: Legal Demand - Proof of Ownership, Chain of Title, Legal Standing, and UCC Compliance

Exhibit E: Billing Error Dispute and Debt Validation Request under 12 CFR 1026.13

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) **PHONE:** ()

Gregory St. Clair
1728 NW Miami Gardens Dr.
#1107 Miami, FL 33179

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299 East Broward Blvd.
Rm 108 Fort Lauderdale, FL

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Time Accepted 12:17 PM	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Return Receipt Fee \$	Live Animal Transportation Fee \$
Special Handling/Fragile \$	Sunday/Holiday Premium Fee \$	Total Postage & Fees \$ 50.75 46.35	
Weight 9 lbs. 0 oz.	Acceptance Employee Initials H8		

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Delivery Attempt (MM/DD/YY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

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PHONE ()

Federal Building & Courthouse
East Broadway Blvd.
& Fort Lauderdale, FL

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Date Accepted (MM/DD/YY) 3/12/25	Scheduled Delivery Time 6:00 PM	Insurance Fee \$	COD Fee \$
Time Accepted: 12:17 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM		Return Receipt Fee \$	Live Animal Transportation Fee \$
Special Handling/Fragile \$	Sunday/Holiday Premium Fee \$	Total Postage & Fees \$ 50.75 \$ 46.35	
Weight lbs. 9 ozs.	Acceptance Employee Initials HB		
DELIVERY (POSTAL SERVICE USE ONLY)			
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